ESTTA Tracking number:

ESTTA464192 03/28/2012

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| Proceeding | 91203061 | |
|---------------------------|---|--|
| Party | Defendant Minntech Corporation | |
| Correspondence Address | LAURA E SMITH 2894 ARROWHEAD PLACE SEAFORD, NY 11783 UNITED STATES lesmith6@earthlink.net | |
| Submission | Other Motions/Papers | |
| Filer's Name | Laura E.Smith | |
| Filer's e-mail | lesmith6@earthlink.net,sammanl@dicksteinshapiro.com | |
| Signature | /LES/ | |
| Date | 03/28/2012 | |
| Attachments | Executed consent to withdraw.PDF (2 pages)(64095 bytes) | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Before the Trademark Trial and Appeal Board

| In re Application No. 85/332,570 Published December 6, 2011 |) | |
|--|-------|-------------------------|
| ERBE USA, INC. Opposer, |)) | Opposition No. 91203061 |
| v. |) | |
| MINNTECH CORPORATION Applicant. |))) | |
| |) | |

CONSENTED WITHDRAWAL OF NOTICE OF OPPOSITION AND COUNTERCLAIM FOR CANCELLATION

Pursuant to 37 C.F.R. § 2.106(c), and with Applicant's consent, Opposer, ERBE USA, Inc., hereby withdraws the Notice of Opposition without prejudice.

ERBE USA, INC.

March 27, 2012

Philip G. Hampton,

Luna M. Samman

DICKSTEIN SHAPIRO LLP

Attorneys for Opposer 1825 Eye Street, N.W. Washington, D.C. 20006

(202) 420-2664

MINNTECH CORPORATION

March 2 3 2012

Laura E. Smith
Attorney for Applicant
2894 Arrowhead Place

Seaford, NY 11783

(516) 679-3010

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the CONSENTED WITHDRAWAL OF NOTICE OF OPPOSITION AND COUNTERCLAIM FOR CANCELLATION was served on Counsel for the Opposer on the date set forth below, by Prepaid First Class United States Mail at the following address:

Luna M. Samman, Esq. DICKSTEIN SHAPIRO LLP 1825 Eye St NW Washington DC 20006

March 28, 2012

Laura E. Smith, Esq. Attorney for Applicant, Minntech Corporation

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Laura E. Smith, Esq. 2894 Arrowhead Place Seaford, New York 11783 (516) 679-3010